

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN PARDOVANI,

Plaintiff,

-against-

CROWN BUILDING MAINTENANCE CO.
D/B/A ABLE BUILDING MAINTENANCE,
JAZZ AT LINCOLN CENTER, INC.,
RICHARD CRUZ, *Individually*, and JOE
MIELE, *Individually*,

Defendants.

15-cv-9065 (SHS)

Order

SIDNEY H. STEIN, U.S. District Judge.

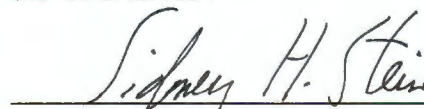
On January 11, 2023, plaintiff John Pardovani moved for the appointment of counsel in the district court in this action, which was tried before a jury in November, 2022, and resulted in a money judgment of \$1.8 million for Pardovani. On May 9, 2022, this Court denied Pardovani's motion "for reconsideration and to alter or amend judgment" in an Opinion & Order. (ECF No. 267.)

The Second Circuit has set forth various factors a court should consider when deciding whether to appoint counsel. *See Hodge v. Police Officers*, 802 F.2d 58, 60 (2d Cir. 1986). Under *Hodge*, a court must first determine whether the litigant's claim "seems likely to be of substance." *Id.* at 60-61. Then, even if this threshold requirement is met, a court must consider other factors, including the litigant's ability to investigate the crucial facts of the case. Here, this action has already been tried to a verdict.

The Court cannot find that Pardovani has satisfied the factors outlined in *Hodge* and notes that the demand for pro bono counsel outstrips the supply of lawyers willing to volunteer to represent civil litigants in the district court. Plaintiff's motion is hereby denied. The Clerk of Court is directed to mail a copy of this Order to plaintiff at 25731 145th Avenue, Rosedale, New York 11422.

Dated: New York, New York
May 23, 2023

SO ORDERED:

A handwritten signature in black ink, reading "Sidney H. Stein", written over a horizontal line.

Sidney H. Stein, U.S.D.J.